

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

MDL No. 3076
Case No. 1:23-md-03076-KMM

**IN RE:
FTX Cryptocurrency Exchange Collapse Litigation**

This document relates to:

Multinational VC Defendants

O'Keefe v. Sequoia Capital Operations, LLC, No. 1:23-cv-20700 (S.D. Fla.)

O'Keefe v. Temasek Holdings (Private) Limited, No. 1:23-cv-23065 (S.D. Fla.)

Chernyavsky v. Temasek Holdings (Private) Limited, No. 1:23-cv-22960 (S.D. Fla.)

Cabo v. Temasek Holdings (Private) Limited, No. 1:23-cv-23212 (S.D. Fla.)

Bank Defendants

O'Keefe v. Sequoia Capital Operations, LLC, et al., No. 1:23-cv-20700 (S.D. Fla.)

O'Keefe v. Farmington State Bank d/b/a Moonstone Bank, et al., No. 2:23-cv-00213-TOR (E.D. Wa.)

PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE UNDER SEAL:

(1) OPPOSITION TO DEFENDANTS DELTEC BANK AND TRUST COMPANY LIMITED AND JEAN CHALOPIN'S MOTION TO DISMISS THE AMENDED ADMINISTRATIVE CLASS ACTION COMPLAINT [ECF NOS. 779, 823]

(2) OPPOSITION TO DEFENDANT MOONSTONE BANK'S MOTION TO DISMISS PLAINTIFFS' AMENDED ADMINISTRATIVE CLASS ACTION COMPLAINT [ECF NOS. 779, 822]

(3) PLAINTIFFS' OPPOSITION TO MULTINATIONAL VC DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED ADMINISTRATIVE CLASS ACTION COMPLAINT FOR FAILURE TO STATE A CLAIM [ECF NOS. 783, 818]

Plaintiffs, pursuant to Southern District of Florida Local Rule 5.4(b)(1), file this Unopposed Motion for Leave to File Under Seal the unredacted versions of Plaintiffs' oppositions to three motions to dismiss: Plaintiffs' Opposition to Defendants Deltec Bank and Trust Company Limited and Jean Chalopin's Motion to Dismiss the Amended Administrative Class Action Complaint ("Deltec Opposition"); Plaintiffs' Opposition to Defendant Moonstone Bank's Motion to Dismiss Plaintiffs' Amended Administrative Class Action Complaint ("Moonstone Opposition"); Plaintiffs' Opposition to Multinational VC Defendants' Motion to Dismiss Plaintiffs' Amended Administrative Class Action Complaint ("MVC Opposition") and state as follows:

1. Plaintiffs filed the Deltec and Chalopin Opposition, dated February 28, 2025, with exhibits attached [ECF Nos 849]; Moonstone Opposition, dated February 28, 2025, with exhibits attached [ECF 848]; and MVC Opposition, dated February 27, 2025 [ECF 845] (collectively, the "Confidential Filings").

2. The Confidential Filings contain references to information that has been designated by a Defendant or Non-Party as Confidential under the Confidentiality and Protective Order entered by the Court on January 24, 2024 [ECF 483] (the "Order") and/or is subject to the Non-Disclosure Agreement entered into between the Plaintiffs and the FTX Consolidated Wind Down Trust, which the Plaintiffs filed Notice of to the Court on February 19, 2025 [ECF 843] (the "NDA") (collectively, the "Agreements").

3. Therefore, for filing purposes, Plaintiffs redacted from the Confidential Filings the information the parties and non-parties designated as Confidential and that is covered by the Agreements. *See* S.D. Fla. L.R. 5.4(b)(1); S.D. Fla. CM/ECF Rule 9B.

4. The Confidential information consists of communications between Defendants and FTX employees, contracts between Defendants and FTX, internal FTX communications, and contracts.

5. While the redactions are limited only to specifics of the documents, and most of the Confidential Filings were not redacted, Plaintiffs seek permission to file unredacted versions of the Confidential Filings under seal so that this Court is fully informed and has before it all relevant Confidential information.

6. The proposed duration of the requested sealing is for/until the later of (i) the designating party consenting to the unsealing of the information designated as Confidential, or (ii)

an unsealing of any of the information designated as Confidential pursuant to the terms of the Agreements.

7. Local Rule 5.4(b)(1) states that a party who wants to file documents and information under seal must file and serve electronically a motion seeking permission to file under seal. Such a motion must set forth the factual and legal basis for the requested sealing and describe with as much particularity as possible the documents and information to be sealed. *See* S.D. Fla. L.R. 5.4(b)(1).

8. Where, as here, a party files a motion and other legal documents that need to include references to protected confidential information and those filings are the subject of a Local Rule 5.4(b)(1) motion to file under seal, all of the content sought to be filed under seal must be redacted until the Court has an opportunity to rule on the motion to seal. *See* S.D. Fla. L.R. 5.4(b)(1); S.D. Fla. CM/ECF Rule 9B.

9. Plaintiffs' instant Motion to Seal and the redacted Confidential Filings are all in full compliance with Local Rule 5.4(b)(1) and CM/ECF Rule 9B.

10. A Proposed Order accompanies this Motion as **Exhibit A**.

S.D. Fla. L.R. 7.1 Certification

Plaintiffs' counsel certifies that they have conferred in good faith with Defendants' counsel in a good faith effort to resolve the issues raised in this motion and represent that Defendants do not oppose the relief sought in this motion.

Dated: February 28, 2025

Respectfully submitted,

Plaintiffs' Co-Lead Counsel	
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was filed on February 28, 2025, with the Court via CM/ECF system, which will send notification of such filing to all attorneys of record

By: /s/ Adam M. Moskowitz
Adam M. Moskowitz
Florida Bar No. 984280